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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
CURTIS POPE,  
  
Defendant.

Case No. 2:16-CR-070-GMN-VCF

**STIPULATION TO CONTINUE  
SENTENCING DATE**

(Third Request)

**IT IS HEREBY STIPULATED AND AGREED**, by and between DAYLE ELIESON, United States Attorney, and DANIEL R. SCHIESS, Assistant United States Attorney, counsel for Plaintiff the United States of America, and MICHAEL R. PANDULLO, ESQ., counsel for Defendant CURTIS POPE, that the sentencing currently scheduled for May 29, 2018, at the hour of 11:30 a.m., be vacated and reset to a date and time convenient to this Court, but in no case any sooner than sixty (60) days.

This Stipulation is entered into for the following reasons:

1. Assistant United States Attorney Daniel Schiess is out of the jurisdiction on May 29, 2018.
2. Assistant United States Attorney Daniel Schiess is also out of the jurisdiction on the following dates: May 29-June 8; June 29-July 6; and July 23-August 17.

- 1 3. Defendant has multiple people who will be attending his sentencing in order to show  
2 their support and they are all unavailable on May 29, 2018.
- 3 4. Defendant is not in custody and does not object to this continuance.
- 4 5. Counsel has spoken to Assistant United States Attorney Daniel Schiess and he has  
5 no opposition to the continuance.
- 6 6. The additional time requested herein is not sought for purposes of delay, but merely  
7 to ensure that both counsel for Defendant and counsel for the government are both  
8 available and also to ensure that the multiple people who are traveling here to show  
9 support for Defendant are able to attend.
- 10 7. Additionally, denial of this request could result in a miscarriage of justice.
- 11 8. This is the fourth request to continue this sentencing hearing.

12  
13 DATED this 24 day of May, 2018.

14 BY:

15 MICHAEL R. PANDULLO, ESQ.

DAYLE ELIESON  
UNITED STATES ATTORNEY

DANIEL R. SCHIESS  
ASSISTANT UNITED STATES ATTORNEY

18 /s/ Michael R. Pandullo

/s/ Daniel R. Schiess

19 MICHAEL R. PANDULLO, ESQ.  
20 *Attorney for Defendant Curtis Pope*

DANIEL R. SCHIESS  
21 *Attorney for the United States*

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**FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
AND ORDER**

(Fourth Request)

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Assistant United States Attorney Daniel Schiess is out of the jurisdiction on May 29, 2018.
2. Assistant United States Attorney Daniel Schiess is also out of the jurisdiction on the following dates: May 29-June 8; June 29-July 6; and July 23-August 17.
3. Defendant has multiple people who will be attending his sentencing in order to show their support and they are all unavailable on May 29, 2018.
4. Defendant is not in custody and does not object to this continuance.

1 5. Counsel has spoken to Assistant United States Attorney Daniel Schiess and he has  
2 no opposition to the continuance.

3 6. The additional time requested herein is not sought for purposes of delay, but merely  
4 to ensure that both counsel for the government and counsel for Defendant and are  
5 available and also to ensure that the multiple people who are traveling here to show  
6 support for Defendant are able to attend.

7 7. Additionally, denial of this request could result in a miscarriage of justice.

8 8. This is the fourth request to continue this sentencing hearing.

9 **CONCLUSIONS OF LAW**

10 The ends of justice served by granting said continuance outweigh the best interest of the  
11 public and the defendant in a speedy trial, since the failure to grant said continuance would be  
12 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the  
13 opportunity within which to be able to effectively and thoroughly prepare for trial taking into  
14 account the exercise of due diligence.

15 The additional time requested by this Stipulation is excludable in computing the time  
16 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United  
17 States Code Sections 3161(h)(1)(A), 361(h)(7) and Title 18, United States Code, Sections  
18 3161(h)(8)(B) and 3161(h)(8)(B)(iv).

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**ORDER**

**IT IS HEREBY ORDERED** that sentencing currently scheduled for May 29, 2018, at the hour of 11:30 a.m., be vacated and continued to Thursday, September 6, 2018, at 9:00 a.m. in Courtroom 7D.

**IT IS FURTHER ORDERED** that this is a **FIRM** sentencing date. No further continuances will be granted without a showing of extenuating circumstances.

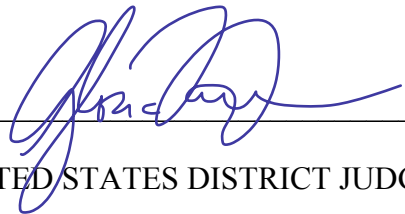
DATED this 24 day of May, 2018.

Submitted by:

/s/ Michael R. Pandullo

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MICHAEL R. PANDULLO, ESQ.  
*Attorney for Defendant Curtis Pope*



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UNITED STATES DISTRICT JUDGE